

## **REMARKS**

### ***Summary of Amendments***

Claim 1 has been amended primarily to add an element—namely, a front-and-rear pair of engaging plates provided on the lid of the claimed container. Claim 1 has also been amended to make clear that the length *D* defines the later-mentioned "*D* zone," and to revise the recitation of the position of the second flange relative to the first flange.

Claim 3 has been amended to redress a mistaken recitation that incidentally led to the objection to the drawings.

Lastly, claim 1 and its dependent claims 2-4 have been amended to remove the reference marks, some of which, as noted in the Office action, were erroneously correlated to the feature following which they appeared.

Claims 1-4 remain pending before the Examiner.

### ***Information Disclosure Statement***

In order to that the Examiner may consider both the references cited in the background of the present specification, and in order to have the references cited in the Search Report from PCT Int'l. App. No. JP03/13236, of which the instant application is the Nat'l. Stage, listed on any patent resulting from the instant application, an IDS in compliance with the applicable sections of 37 C.F.R. § 1.98 is being submitted herewith.

Applicant thanks the Examiner for kindly pointing out the Office requirements for having all references cited in this application considered and printed on any resulting patent to indicate that consideration.

### ***Drawings***

The drawings were objected to for failing to show a feature recited in claim 3. It is believed that this apparent lack of illustration was due to an erroneous recitation in claim 3. That is, claim 3 recited "cut points" (or notches) not only in the second-flange lateral tabs 14a, but also in the *D*-zone lateral tabs 16b. Lateral tabs 14a and 16b are illustrated most clearly in Figs. 1 and 2; unfortunately, the *D*-zone lateral tabs were mislabeled "16a" in claim 3. Although not shown in Fig. 1, Fig. 2 clearly shows the cut point 14b that claim 3 is intended to recite.

Claim 3 now correctly recites the cut point formed in each second-flange, not D-zone, lateral tab, in accordance with what is illustrated in Fig. 2. It is respectfully submitted, therefore, that the objection to the drawings has been fully addressed and overcome by the amendment to claim 3, rendering unnecessary the filing of corrected drawings.

### ***Claim Objections***

As noted above under "Summary of Amendments," the reference marks have been deleted from the claims; thus the need for correction of the incorrectly associated reference marks has been eliminated.

### ***Claim Rejections – 35 U.S.C. § 103***

#### **Claim 1, 2 and 4; Ohori '775 in view of Letica '119**






Claim 1, 2 and 4 were rejected as being unpatentable over Japanese Unexamined Pat. App. Pub. No. 2002-110775 to Ohori—cited in the International Search Report for PCT/JP2003/13236, of which the present application was the National Stage—in view of U.S. Pat. No. 4,349,119 to Letica.

### ***Applicant's Rebuttal Against Ohori***

On each underside of two side walls of the lid 6, there is downwardly formed the generally rectangular hook 7 having bendability, and the opening of each hook 7 will engage with the locking device 2 provided with the container body 1, thereby the lid 6 will be firmly held on the upper opening of the container body 1.

- First, for the Examiner's reference, Applicant submits the following commentary on the *Ohori* machine translation.

It is presumed that the examiner is using a full-content English translation of this Japanese-written document titled "PAT-NO JP02002110772A" which is included in appendix page of OA annotated as 'not relying on, but pertinent.' Then, it is found that this translation from Japanese to English is so bad or awkward. Product of mechanical translation? For instance, Japanese language

 should be set off or partitioned  - - , but in their original translation house, it was set off  - -  as a result, English is, as shown below, □both-sides 'Kabeshita' part □, wherein 'Kabeshita' is untranslated Japanese language and insignificant. Therefore, according to - - as above, it should be: lower parts of two side walls. Further, at many portions the

basic English term structure or formation to constitute a grammatical sentence is disordered. Out of the question.

Shown in the following are (1) original Japanese, (2) English at the examiner, and (3) English translation here with ordinary translation skill for the purpose of indicating acceptable English translation of a bit portion pertinent to the applicant's reply.

(1) The original Japanese



25 (2) English at the examiner

0013]The hook 7 of the abbreviation rectangle extended below is formed in the both-sides Kabeshita part of this lid 6 respectively possible crookedness, and when opening of each hook 7 carries out fitting locking to the projected part of the locking part 2 of the body 1 of a container, the fitting hold of the lid 6 is carried out firmly on the top face in which the body 1 of a container carried out opening.

(3) English translation here with ordinary translation skill

On each lower-part of two side walls of the lid 6, there is downwardly formed the generally rectangular hook 7 having bendability, and the opening of each hook 7 will engage with the locking device 2 provided with the container body 1, thereby the lid 6 will be firmly held on the upper opening of the container body 1.

In the present invention, in contrast to *Otori*, the engaging plate 2a shown in Fig. 1 is formed integrally with the lid 2. In view of service requirements to be applied to containers for storing precision requiring plates, our lid is manufactured with use of a rigid or little bendable material, that is, the inventive lid 1 and each of the engaging plate 2a are certainly rigid, opposite to *Otori's* rectangular hook 7. Therefore, our plate 2a will cover the D zone by its vertical extension and play the role of an equivalent to existing ribs or work as reinforcement of other ribs by dint of rigid quality of its material. Such advantage is unpredictable from *Otori's* invention.

### ***Applicant's Rebuttal Against Letica***

Referring to *Letica's* means of closing the container body 12 with the lid 14, the closure means by the rim end 42 engaged with the two legs 52, 54 is located above the rib reinforcement zone 24 or at a location out of the rib reinforcement zone. Therefore, such improvement is unpredictable as increase in rib function by effect of the inventive plate 2a which covers the rib zone for reinforcement.

Claim 3; Ohori or Letica in view of Johnson '925

Claim 3 was rejected 35 U.S.C. 103(a) as being unpatentable over Onori-Letica as applied to claim 1 above, and further in view of Johnson (US 4,520,925).

For the reasons set forth above, claim 1 is believed to be patentable over the prior art of record; therefore, claims 2-4, as carrying all of the limitations of an allowable base claim should, it is respectfully submitted, be held allowable.

***Applicant Commentary on Other Cited References***

In review of all the prior art references including Ohori (JP 2002-110775, relied), Letica (USP4349119, relied), Johnson (USP 4520925, relied), Ogino (USP 5228568, yet unrelieved), Ejima (USP 5873468, yet unrelieved), Ejima (USP 6032802, yet unrelieved), Hirohata (USP 6220438, yet unrelieved), Hirohata (USP 6315124, yet unrelieved), it is found that none of them disclose the closure means including the engaging plate (2a in the invention) provided with specially shaped cut-out holes 2b in the invention) and engaging projections (16a in the invention), wherein the closure means has extension to stride vertically across the laterally-provided rib reinforcement zone which forms recessive contour of the container.

Accordingly, Applicant courteously urges that this application is in condition for allowance. Reconsideration and withdrawal of the rejections is requested. Favorable action by the Examiner at an early date is solicited.

Respectfully submitted,

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/James Judge/

James W. Judge  
Registration No. 42,701

**JUDGE PATENT ASSOCIATES**  
Dojima Building, 5<sup>th</sup> Floor  
6-8 Nishitemma 2-Chome, Kita-ku  
Osaka-shi 530-0047  
JAPAN

Telephone: **305-938-7119**  
Voicemail/Fax: **703-997-4565**